

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

FINJAN, INC.,
Plaintiff,
v.
ZSCALER, INC.,
Defendant.

Case No. 17-cv-06946-JST

ORDER TO SHOW CAUSE

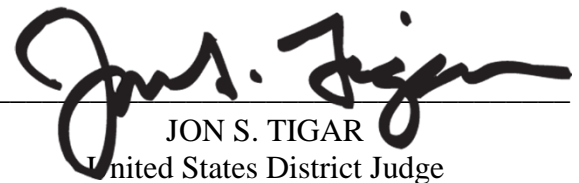
As shown in the attached table as Exhibit A, Plaintiff Finjan, Inc. has several active cases in this district. The cases assert overlapping claims within the same group of patents. The unmanaged simultaneous litigation of these cases presents the risk of redundant proceedings, inconsistent outcomes, and the inefficient use of judicial and litigant resources.

Accordingly, the parties, and each of them, are now ORDERED TO SHOW CAUSE why this case should not be stayed pending the resolution of the other cases construing identical claims from United States Patent Nos. 7,647,633; 7,975,305; and 8,677,494, as set forth on the attached table.

A written response to this order is due December 21, 2018. The court will hold a hearing on this order to show cause on January 2, 2019 at 2:00 p.m.

IT IS SO ORDERED.

Dated: December 11, 2018


JON S. TIGAR
United States District Judge

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EXHIBIT A

The chart below identifies the Finjan Actions pending in this District in which Finjan is asserting claims at issue in this action and the overlapping claims in each case.

Finjan Patent	Claims Currently Asserted Against Fortinet	Claims Currently Asserted in Other Pending N.D. Cal. Cases
'844 Patent	Claims 1-44	Cisco Action Claims 1, 7, 15, and 43
		Sonicwall Action Claims 1, 7, 15, 16, 41, and 43
		Juniper Action Claims 1, 15, and 41
		Check Point Action Claims 1, 15, 41, and 42
		Qualys Action Claims 1-44
'968 Patent	Claims 1-38	PAN Action Claims 1-38
		Sonicwall Action Claims 1, 7, and 11
		Check Point Action Claims 1, 9, 10, and 33
		Qualys Action Claims 1-38
'822 Patent	Claims 1-35	PAN Action Claims 1-35
		Sonicwall Action Claims 1, 2, 4, 5, 9, and 10

'731 Patent	Claims 1-22	PAN Action Claims 1-22
		Juniper Action Claims 1 and 17
		Check Point Action Claims 1, 2, 14, 16, and 17
		Qualys Action Claims 1-22
'633 Patent	Claims 1-41	Cisco Action Claims 1, 8, 13, and 14
		PAN Action Claims 1-41
		Zscaler Action Claims 1-4, 8-11, 14, and 19
		Sonicwall Action Claims 1, 8, 9, 14
		Juniper Action Claims 1, 8, 14, and 19
		Check Point Action Claims 8, 9, 14, 20, and 34
'305 Patent	Claims 3-4, 6-12, and 14-25	Zscaler Action Claims 1, 2, 5-9, and 11-13
		Sonicwall Action Claims 6, 11, 12, and 13
		Qualys Action Claims 3-4, 6-12, and 14-25
'086 Patent	Claims 1-42	Check Point Action Claims 24, 33, and 42

'408 Patent	Claims 1-35	PAN Action Claims 1-35
		Sonicwall Action Claims 1, 3, 4, 9, and 22
		Qualys Action Claims 1-35
'494 Patent	Claims 3-5, and 7-18	Cisco Action Claims 10, 11, 14, and 15
		PAN Action Claims 1-18
		Zscaler Action Claims 10 and 14
		Bitdefender Action Claims 1, 2, 5, 6, 7, 10, 11, and 14-16
		Sonicwall Action Claims 10, 14, and 18
		Juniper Action Claims 10, 14, 16, and 18
		Check Point Action Claims 10, 14, and 15
		Qualys Action Claims 3-5, and 7-18

Courts in this District first addressed the issue of consolidation of actions involving Finjan's patents in *Finjan, Inc. v. FireEye, Inc.*, Case No. 4:13-cv-03133-SBA ("FireEye Action"), which eventually settled and is no longer pending. In the FireEye action, the defendant filed a motion (FireEye Action, Dkt. No. 25) seeking to relate the case to the then-pending Blue Coat and Websense